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EXCISE DEPARTMENT

NOTIFICATION

The 31st March 2007

S. R. O. No. 199/2007—Whereas, the powers conferred by Section 89 of the Bihar and Orissa Excise Act, 1915 (Bihar and Orissa Act 2 of 1915) (hereinafter referred to as the said Act) for making rules are subject to the condition that the rules be made after previous publication;

And whereas, the proviso to sub-section (3) of Section 89 of the said Act provides that such rules may be made without previous publication if the State Government consider that they should be brought into force at once;

And whereas, the State Government consider it necessary to bring these rules into force atonce under the proviso to sub-section (3) of Section 89 of the said Act;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 89 read with the proviso to sub-section (3) of Section 89 of the said Act, the State Government do hereby make the following rules further to amend the Orissa Excise (Exclusive Privilege) Rules, 1970, namely :—

1. These rules may be called the Orissa Excise (Exclusive Privilege) Amendment Rules, 2007.

2. They shall come into force on the date of their publication in the *Orissa Gazette*

3. In the Orissa Excise (Exclusive Privilege) Rules, 1970, Rule 6-D shall be renumbered as sub-rule (1) thereof and after the rule so renumbered, the following sub-rules shall be inserted, namely:—

“(2) The licensee shall lift and utilize the entire minimum guaranteed quantity of molasses so fixed by the Collector in the financial year on payment of utilization fee as determined by the State Government from time to time and on failure, shall pay the utilization fee for the balance shortfall quantity together with fine equivalent to 15% of the utilization fee payable for such shortfall.

(3) The licence of the distillery shall be cancelled on default to make payment of utilization fees towards minimum guaranteed quantity and the fine as stated in sub-rule (2) :

Provided that the licence may be renewed on payment of such fees and the fine”.

[No. 1437—IEX-01/2005-Ex.]

By order of the Governor

G. V. V. SARMA

Commissioner-cum-Secretary to Government